



UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA)	Case No. 1:10-CR-313
)	
v.)	<u>Count 1: 18 U.S.C. § 2422(b)</u>
)	Use of Facility of Interstate Commerce
JOSHUA BEHROUZ NABATKHORIAN)	to Attempt to Entice a Minor to
)	Engage in Criminal Sexual Activity
Defendant.)	

INDICTMENT

August 2010 Term at Alexandria, Virginia

COUNT ONE

THE GRAND JURY CHARGES THAT:

From on or about November 1, 2009 to on or about November 17, 2009, in Fairfax, Virginia, and elsewhere, within the Eastern District of Virginia, JOSHUA BEHROUZ NABATKHORIAN (“NABATKHORIAN”), used any facility and means of interstate and foreign commerce to knowingly attempt to persuade, induce, entice and coerce any individual who had not attained the age of 18 years to engage in prostitution and any sexual activity for which any person can be charged with a criminal offense.

Specifically, NABATKHORIAN knowingly used the Internet and a cellular telephone to attempt to persuade, induce, entice and coerce an individual who NABATKHORIAN knew was 13 years of age to engage in sexual activity, and had such sexual activity occurred, NABATKHORIAN could have been charged with a criminal offense under:

- a. Section 18.2-63 of the Code of Virginia, which prohibits NABATKHORIAN from carnally knowing, without the use of force, by sexual intercourse, cunnilingus, fellatio,

anal intercourse and inanimate object sexual penetration, a child 13 years of age or older but under 15 years of age;

b. Section 18.2-370 of the Code of Virginia, which prohibits NABATKHORIAN from taking indecent liberties with a child under the age of 15, including by with lascivious intent, knowingly and intentionally:

- i. exposing his sexual and genital parts to such a child;
- ii. proposing that such a child expose her sexual and genital parts to him;
- iii. proposing that such a child feel and fondle his sexual and genital parts;
- iv. proposing that he feel and fondle the sexual and genital parts of such a child;
- v. proposing to such a child the performance of an act of sexual intercourse and carnal knowledge by the anus and mouth; and
- vi. enticing, alluring, persuading, and inviting such a child to enter any vehicle, room, house, and other place, for any of the purposes set forth in this subsection (b); and

c. Sections 18.2-26 and 27 of the Code of Virginia, which punish attempts to commit felonies and misdemeanor offenses.

(All in violation of Title 18, United States Code, Section 2422(b).)

A TRUE BILL

Pursuant to the E-Government Act,
the original of this page has been filed
under seal in the Clerk's Office.

Foreperson

NEIL H. MACBRIDE
United States Attorney

By:


John Eisinger
Assistant United States Attorney